TECH CENTER 1600/2900

ec'd PCT/PTO 16 APR 2002 (1390 REV. 5-93) US DEPT. OF COMMERCE PATENT & TRADEMARK OFFICE 111737 TRANSMITTAL LETTER TO THE U.S. APPLICATION NO. (if known, sec 37 C.F.R.1.5) **UNITED STATES** 10/031,439 DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING **UNDER 35 U.S.C. 371** INTERNATIONAL APPLICATION NO. INTERNATIONAL FILING DATE PRIORITY DATE CLAIMED PCT/FR00/02202 July 31, 2000 July 30, 1999 TITLE OF INVENTION METHOD FOR IN VITRO CULTURE OF VIRUSES OF THE TOGAVIRIDAE AND FLAVIVIRIDAE FAMILIES AND USES APPLICANTS FOR DO/EO/US Patrice ANDRE et al. Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than 3. delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1). A proper Demand for International Preliminary Examination was made by the 19th month from the earliest 4. claimed priority date. A copy of the International Application as filed (35 U.S.C. 371(c)(2)) 5. a. is transmitted herewith (required only if not transmitted by the International Bureau). has been transmitted by the International Bureau. is not required, as the application was filed in the United States Receiving Office (RO/US) 6, A translation of the International Application into English (35 U.S.C. 371(c)(2)). 7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) are transmitted herewith (required only if not transmitted by the International Bureau). have been transmitted by the International Bureau. have not been made; however, the time limit for making such amendments has NOT expired. d. have not been made and will not be made. 8. A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)). Items 11. to 16. below concern other document(s) or information included: 11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. . | | An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. RECEIVED 13. , 🔲 A FIRST preliminary amendment. 2002 A SECOND or SUBSEQUENT preliminary amendment. JUL 1

Other items or information: Response to Notification of Missing Requirements Declaration Already Filed

14.

15.

16.

 \boxtimes

A substitute specification.

Entitlement to small entity status is hereby asserted.

U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5) 10/031,439 INTERNATIONAL APPLICATIO PCT/FR00/02202			N NO. ATTORNEY'S DOCKET NUMBER 111737			
17. The following fees are submitted:				CALCU	JLATIONS	PTO USE ONLY
Basic National fee (37 CFR 1.492(a)(1)-(5)):						
Search Report	Search Report has been prepared by the EPO or JPO \$890.00					
	eliminary examination				٠	
. (37 CFR 1.482)	No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2))\$740.00					
1.482) nor inter	tional preliminary examinational search fee (3	7 CFR 1.445	(a)(2))			
(37 CFR 1.482)	eliminary examination and all claims satisfie)	d provisions	of PCT	÷		
	ENTER APPROPRIA	ATE BASIC	FEE AMOUNT =	\$		
	for furnishing the oath from the earliest clair			\$		
Claims	Number Filed	Number Extra	Rate			
Total Claims	Transci i neu	LAU	X \$ 18.00	\$		
Independent Claims			X \$ 84.00	\$		
Multiple dependent cla	aim(s)(if applicable)	•	+ \$280.00	\$		
÷	TOTAL OF	ABOVE CAL	.CULATIONS =	\$		
Reduction by 1/2 for f	iling by small entity, if	applicable.		\$		
•			SUBTOTAL =	\$		
Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30 month from the earliest claimed priority date (37 CFR 1.492(f)).						
		TOTAL NA	TIONAL FEE =	\$		
					Amount to be refunded	\$
					Charged	\$
 a. Check No in the amount of \$ to cover the above fees is enclosed. b. Please charge my Deposit Account No in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed. c. The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 15-0461. A duplicate copy of this sheet is enclosed. 						
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.						
SEND ALL CORRESPONDENCE TO: OLIFF & BERRIDGE, PLC						
				AME/William		
Date: April 16, 2002 RECEIVED				ME: Joel S.		
JUL 1 2002 RE					N NUMBER: 3	6,430



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Patrice ANDRE et al. ATTN: PCT Branch

Application No.: 10/031,439 Docket No.: 111737

Filed: February 25, 2002

METHOD FOR IN VITRO CULTURE OF VIRUSES OF THE TOGAVIRIDAE

AND FLAVIVIRIDAE FAMILIES AND USES

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS **UNDER 35 U.S.C 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)** DECLARATION AND TRANSLATION ALREADY FILED

Director of the U.S. Patent and Trademark Office Washington, D.C. 20231

Sir:

For:

In response to the Notification of Missing Requirements Under 35 U.S.C 371 in the United States Designated/Elected Office (DO/EO/US) (copy attached) mailed on April 9, 2002, the executed Declaration of the inventors was filed on February 25, 2002. A copy of the executed Declaration as filed, a copy of the Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371, and a copy of the stamped postcard receipt are attached hereto. The surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)) was also paid on February 25, 2002 with our Check No. 128150 for \$130.00.

The Notification also indicates that the translation of the application into English is incomplete, because the text on the drawings has not been properly translated. This assertion is incorrect because the only text appearing in the figure, namely "Figure" and "Oleate" are properly translated into English. Thus, no further action with respect to the translation is believed to be necessary.

Entry of these documents on February 25, 2002 should have completed all of the filing formalities. Accordingly, prompt issuance of a Notification of Acceptance and Filing Receipt, and prompt examination and allowance of this application are respectfully solicited.

The Director is hereby authorized to charge any additional fee (or credit any overpayment) associated with this communication to Deposit Account No. 15-0461.

RECEIVED

JUL 1

TECH CENTER 1600/2900

WPB:JSA/zmc Date: April 16, 2002

OLIFF & BERRIDGE, PLC P.O. Box 19928 Alexandria, Virginia 22320 Telephone: (703) 836-6400

Respectfully submitted,

William P. Berridge Registration No. 30,024

Joel S. Armstrong Registration No. 36,430

> DEPOSIT ACCOUNT USE **AUTHORIZATION** Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461

PRIORITY DATE

07/30/1999



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner för Patents, Box PC United States Patent and Trademark Offici Washington, D.C. 2023

U.S. APPLICATION NUMBER NO. FIRST NAMED APPLICANT ATTY. DOCKET NO.

10/031,439 Patrice Andre 111737

INTERNATIONAL APPLICATION NO.

I.A. FILING DATE

07/31/2000

PCT/FR00/02202

Oliff & Berridge Po Box 19928 Alexandria, VA 22320

Date Mailed: 04/09/2002

APR 1 2 2002 OLIFFS BERRIDGE

CONFIRMATION NO. 6420

371 FORMALITIES LETTER

Missina

DUE DATE

14745 JUN 0 9 2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Preliminary Amendments
- Request for Immediate Examination

By MOJ and UN 2002

By MOJ on UN 20 07

Oliff & Benidge

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. The current translation of the application into English is defective as described below.
 - The text in the drawings has not been properly translated.
- Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 30 months from the priority date (37 CFR 1.492(f)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application
 by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

JUL 1 2002
TECH CENTER 1600/2900





The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

• \$130 for English translation surcharge required.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

WINSTON M.ALVARADO

Telephone: (703) 305-6421

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY, DOCKET NO.
10/031,439	PCT/FR00/02202	111737

FORM PCT/DO/EO/905 (371 Formalities Notice)





PTO RECEIPT FOR FILING OF PAPERS

The following papers have been filed:

PCT trans, ck 128150 \$130, DEC, FR Not Change (2), assign t,c k 128151 \$40, ASSIGN, IDS pto 1449 29refs/1abs

Name of Applicant: Patrice ANDRE et al.

Serial No.: 10/031,439

Atty. File No.: 111737

Title (New Cases):

Sender's Initials: WPB/zmc

201/18

PATENT OFFICE DATE STAMP



JUL 1 2002
TECH CENTER 1600/2900

COPY TO BE STAMPED BY PATENT OFFICE AND RETURNED BY MESSENGER

(1390	REV	7. 5-93) US DEPT. OF COMMERCE PAT	111737 A LAND TO THE STATE OF T					
		TRANSMITTAL LET UNITED STA DESIGNATED/ELEC (DO/EO/US) CONCER UNDER 35 U.S	U.S. APPLICATION NO. (if known, sec 37 C.F.R.1.5) 10/031,439					
	INTERNATIONAL APPLICATION NO. PCT/FR00/02202 INTERNATIONAL FILING DATE PCT/FR00/02202 PRIORITY DATE CLAIMED July 30, 1999							
		INVENTION FOR IN VITRO CULTURE OF VIF	RUSES OF THE TOGAVIRIDAE AND	FLAVIVIRIDAE FAMILIES AND USES				
		ITS FOR DO/EO/US NDRE et al.						
Applicinform 1.		ion:	States Designated/Elected Office f items concerning a filing under 3	e (DO/EO/US) the following items and other 5 U.S.C. 371.				
2.	\boxtimes	This is a SECOND or SUBSE	QUENT submission of items cond	erning a filing under 35 U.S.C. 371.				
3.	This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).							
4.		A proper Demand for Internat claimed priority date.	ional Preliminary Examination was	s made by the 19th month from the earliest				
5.	 A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. is transmitted herewith (required only if not transmitted by the International Bureau). b. has been transmitted by the International Bureau. c. is not required, as the application was filed in the United States Receiving Office (RO/US) 							
6.		A translation of the Internation	nal Application into English (35 U.S	S.C. 371(c)(2)).				
7.	7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. are transmitted herewith (required only if not transmitted by the International Bureau). b. have been transmitted by the International Bureau. c. have not been made; however, the time limit for making such amendments has NOT expired. d. have not been made and will not be made.							
8.	A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).							
9.	\boxtimes	An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).						
10.	A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).							
Items 11. to 16. below concern other document(s) or information included: 11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.								
12.	2. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.							
13.	13. A FIRST preliminary amendment.							
	A SECOND or SUBSEQUENT preliminary amendment.							
14.		A substitute specification.						

 \boxtimes

Entitlement to small entity status is hereby asserted.

Other items or information: Notification of a Recording of a Change (2 in French)

15.

16.

U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5) 10/031,439		INTERNATIO PCT/FR00/0	DNAL APPLICATION	ON NO.	ATTORNEY'S DOCKET NUMBER 111737			
17. The follow	7.			CALCU	JLATIONS	PTO USE ONLY		
Basic National fee (37 CFR 1.492(a)(1)-(5)):								
Search Report	Search Report has been prepared by the EPO or JPO\$890.00							
	reliminary examination f				ų.	•		
(37 CFR 1.482)	No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2))							
1.482) nor inter	Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO\$1,040.00							
(37 CFR 1.482)	reliminary examination f) and all claims satisfied)	provisions	of PCT					
	ENTER APPROPRIA			\$				
Surcharge of \$130.00 for furnishing the oath or declaration later than 20 \(\sum 30 \) months from the earliest claimed priority date (37 CFR 1.492(e)).								
Claims	Number Filed	Number Extra	Rate	·				
Total Claims			X \$ 18.00	\$				
Independent Claims			X \$ 84.00	\$				
Multiple dependent cl	aim(s)(if applicable)		+ \$280.00	\$				
	TOTAL OF	ABOVE CAL	.CULATIONS =	\$130.00				
Reduction by 1/2 for 1	filing by small entity, if a	pplicable.	-	\$	<u> </u>			
			SUBTOTAL =	\$130.00				
Processing fee of \$130.00 for furnishing the English translation later than ☐ 20 ☐ 30 month from the earliest claimed priority date (37 CFR 1.492(f)).								
TOTAL NATIONAL FEE =								
					Amount to be refunded	\$		
					Charged	\$		
 a.								
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.								
SEND ALL CORRESPONDENCE TO:								
Oliff & Berridge, PLC				()	111			
					n/P. Berudge ON NUMBER: Y	— 30,024		
				AME: Joel S EGISTRATIO	. Armstrong ON NUMBER: 3	6,430		





Docket No.: 111737

DECLARATION AND POWER OF ATTORNEY UNDER 35 USC §371(c)(4) FOR PCT APPLICATION FOR UNITED STATES PATENT

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated below under my name;

I verily believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought, namely the invention entitled: METHOD FOR IN VITRO CULTURE OF VIRUSES OF THE TOGAVIRIDAE AND FLAVIVIRIDAE FAMILIES AND USES

described and claimed in international application number PCT/FR00/02202 filed July 31, 2000.

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations §1.56.

Under Title 35, U.S. Code §119, the priority benefits of the following foreign application(s) filed by me or my legal representatives or assigns within one year prior to my international application are hereby claimed:

French Patent Application No 99 10095 filed July 30, 1999.

The following application(s) for patent or inventor's certificate on this invention were filed in countries foreign to the United States of America either (a) more than one year prior to my international application, or (b) before the filing date of the above-named foreign priority application(s):

I hereby appoint the following as my attorneys of record with full power of substitution and revocation to prosecute this application and to transact all business in the Patent Office:

James A. Oliff, Reg. No. 27,075; William P. Berridge, Reg. No. 30,024; Kirk M. Hudson, Reg. No. 27,562; Thomas J. Pardini, Reg. No. 30,411; Edward P. Walker, Reg. No. 31,450; Robert A. Miller, Reg. No. 32,771; Mario A. Costantino, Reg. No. 33,565; Stephen J. Roe, Reg. No. 34,463; Joel S. Armstrong, Reg. No. 36,430; Christopher W. Brown, Reg. No. 38,025; Richard E. Rice, Reg. No. 31,560; and Paul Tsou, Reg. No. 37,956.

ALL CORRESPONDENCE IN CONNECTION WITH THIS APPLICATION SHOULD BE SENT TO OLIFF & BERRIDGE, PLC, P.O. BOX 19928, ALEXANDRIA, VIRGINIA 22320, TELEPHONE (703) 836-6400.

I hereby declare that I have reviewed and understand the contents of this Declaration, and that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Typewritten Fi	ıll Name			
of Sole or First	t Inventor	Patrice		Andre
Inventor's Sig	nature:	Given Name	Middle Initial	Family Name
Date of Signat	ure:	Fc6-	13	2002
Residence:	LYON, Rome	Month	Day	Year France
Citizenship:	Cit France	y	State or Province	Country
Pos	st Office Address:	5 Rue Servie	nt	
(Insert complete mailing address, including country)		y) <u>F-69003 Lyo</u>	n France	

Note to Inventor: Please sign name on line 2 exactly as it appears in line 1 and insert the actual date of signing on line 3.

1	Typewritten Full Name	Vincent		Lotteau
	of Joint Inventor	Given Name I	Middle Initial .	Family Name
2	Inventor's Signature:	- Vancent	, , , , , , , , , , , , , , , , , , ,	Lotteau
3	Date of Signature:			2002
3	Date of Signature.	Month	Day	Year
	Residence:	Vourles		;: France
		City	State or Province	→ Country
	Citizenship: France			
	Post Office Add		es	
_	(Insert complet	,		
	address, includ	ing country) F-69390 Vourles Fi	rance	
1	Typewritten Full Name			
	of Joint Inventor	Glaucia		Paranhos-Baccala
_		Given Name	Middle Initial aranko - Baccala	Family Name
2	Inventor's Signature:	glanua la		
3	Date of Signature:	<u> </u>	13	2002
		Month	Day	Year
	Residence:	Lyon	S	France
	Citizenship: France	City	State or Province	Country
	Post Office Add			
	(Insert complet address, includ			
		ing country) F-69003 Lyon Fran	ce	
1	Typewritten Full Name	_,		
	of Joint Inventor	Florence Given Name	N 41 3 31 - Y - 141 - 1	Komurian-Pradel
2.	Tours April 6: Armot	r / r	Middle Initial	Family Name
2	Inventor's Signature:	- Frozence	Komus	
3	Date of Signature:	<u>teh</u>		2002
		Month	Day	Year
	Residence:	Poleymieux City	State or Province	France Country
•	Citizenship: France	City	State of Province	Country
	<u> </u>	114 Chamin J. D.	:11	
	Post Office Add (Insert complete		ноп	
	address, includi	e maning ing country) F-69250 Poleymieu	x France	
1	Typewritten Full Name	- 1 05250 Toleyimeu	, , , , , , , , , , , , , , , , , , ,	
1	of Joint Inventor			
	oj somi intemol	Given Name	Middle Initial	Family Name
2	Inventor's Signature:			
3	Date of Signature:			
,	Dute of Signature.	Month	Day	Year
	Residence:		·	
		City	State or Province	Country
	Citizenship:			
	Post Office Add	lress:		
	(Insert complete	e mailing		
	address, includi	ng country)		

Note to Inventor: Please sign name on line 2 exactly as it appears in line 1 and insert the actual date of signing on line 3.

This form may be executed only when attached to the first page of the Declaration and Power of Attorney of the application to which it pertains.